IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

MONDAY, THE 26TH FEBRUARY 2007 / 7TH PHALGUNA 1928

Bail Appl..No. 1087 of 2007()

CP.118/2006 of J.M.F.C.-II,NEYYATTINKARA
CRIME NO.204/05 OF POOVAR POLICE STATION

.....

: PETITIONER/2ND ACCUSED

BIJU, S/O. PONNAPPAN,
DARFANINNA PUTHEN VEEDU, THIRUPURAM P.O.,
NEYYATTINKARA TALUK.

BY ADV. SRI.R.T.PRADEEP

RESPONDENTS: COMPLAINANT

STATE OF KERALA, REPRESENTED BY
PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

BY PUBLIC PROSECUTOR SRI.JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 26/02/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

B.A. No. 1087 OF 2007 A

Dated this the 26th day of February, 2007

O R D E R

Petitioner, who is the 2nd accused in Criem No.204/2005 of Poovar Police Station for offences punishable under sections 341, 324, 326 and 308 read with section 34 IPC, seeks anticipatory bail.

2. Consequent on the non-appearance of the petitioner in C.P.No.118/2006 on the file of the JFCM-II, Neyyattinkara, non-bailable warrants of arrest are pending against the petitioner. Anticipatory bail cannot be granted to nullify the process issued by a court of competent jurisdiction. There is no reason why the petitioner should not surrender before the Magistrate concerned and seek regular bail. Accordingly, if the petitioner surrenders before the Magistrate concerned and files an application for regular bail, within two weeks from today, the same shall be considered and disposed of, preferably on the same date on which it is filed, after examining the explanation offered by the petitioner for his previous non-appearance.

This application is disposed of as above.

(V. RAMKUMAR, JUDGE)

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